

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.801-339.814 Repealed. 2004, Act 403, Eff. Feb. 20, 2004.

Compiler's note: The repealed sections pertained to creation of athletic board of control and regulation of boxing matches and contests.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.901 Definitions.

Sec. 901. As used in this article:

(a) "Claim" or "debt" means an obligation or alleged obligation for the payment of money or thing of value arising out of an expressed or implied agreement or contract for a purchase made primarily for personal, family, or household purposes.

(b) "Collection agency" means a person directly or indirectly engaged in soliciting a claim for collection or collecting or attempting to collect a claim owed or due or asserted to be owed or due another, or repossessing or attempting to repossess a thing of value owed or due or asserted to be owed or due another arising out of an expressed or implied agreement. A collection agency shall include a person representing himself or herself as a collection or repossession agency, or a person performing the activities of a collection agency, on behalf of another, which are regulated by this act. A collection agency shall also include a person who furnishes or attempts to furnish a form or a written demand service represented to be a collection or repossession technique, device, or system to be used to collect or repossess claims, if the form contains the name of a person other than the creditor in a manner indicating that a request or demand for payment is being made by a person other than the creditor even though the form directs the debtor to make payment directly to the creditor rather than to the other person whose name appears on the form. Collection agency also includes a person who uses a fictitious name or the name of another in the collection or repossession of claims to convey to the debtor that a third person is collecting or repossessing or has been employed to collect or repossess the claim. Collection agency does not include a person whose collection activities are confined and are directly related to the operation of a business other than that of a collection agency such as, but not limited to, the following:

(i) A regular employee when collecting amounts for 1 employer if all collection efforts are carried on in the name of the employer.

(ii) A state or nationally chartered bank when collecting its own claims.

(iii) A trust company when collecting its own claims.

(iv) A state or federally chartered savings and loan association when collecting its own claims.

(v) A state or federally chartered credit union when collecting its own claims.

(vi) A licensee under Act No. 21 of the Public Acts of 1939, as amended, being sections 493.1 to 493.26 of the Michigan Compiled Laws.

(vii) A business licensed by this state under a regulatory act in which collection activity is regulated.

(viii) An abstract company doing an escrow business.

(ix) A licensed real estate broker or salesperson if the claims being handled by the broker or salesperson are related to or in connection with his or her real estate business.

(x) A public officer or person acting under a court order.

(xi) An attorney handling claims and collections on behalf of clients and in the attorney's own name.

(c) "Collection agency manager" means the individual responsible for the operation of a collection agency.

(d) "Communicate" means the conveying of information regarding a debt directly or indirectly to a person through any medium.

(e) "Creditor" or "principal" means a person who offers or extends credit creating a debt or a person to whom a debt is owed or due or asserted to be owed or due. Creditor or principal shall not include a person who receives an assignment or transfer of a debt solely for the purpose of facilitating collection of the debt for the assignor or transferor. In those instances, the assignor or transferor of the debt shall continue to be considered the creditor or the principal for purposes of this article.

(f) "Consumer" or "debtor" means a natural person obligated or allegedly obligated to pay a debt.

(g) "Insolvency" means the failure of a licensee to pay debts in the ordinary course of business.

(h) "Office" means a regular place of business where complete records are kept of collections and claims handled by a licensee.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1981, Act 83, Imd. Eff. July 1, 1981.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT) Act 299 of 1980

339.1001 Definitions.

Sec. 1001. As used in this article:

- (a) "Client" means a person who engages the services of a personnel agency.
- (b) "Consulting agent" means the individual designated by a type B personnel agency who is responsible for the general management of that type B personnel agency.
- (c) "Employee" means a person performing work or service for compensation.
- (d) "Employer" means a person employing or seeking to employ a person for compensation.
- (e) "Employment agent" means the individual designated by a type A personnel agency who is responsible for the general management of that type A personnel agency.
- (f) "Fee" means any direct or indirect compensation.
- (g) "Job order" means an oral or written notification by an employer to a personnel agency that a job opening exists for which the employer wishes to find an employee and includes all information regarding the job.
- (h) "Personnel agency" means a type A personnel agency or a type B personnel agency, or both.
- (i) "Registration fee" means a fee other than the fee specified in a contract, which a personnel agency requires or accepts from a client prior to execution of a contract.
- (j) "Resume writing service" means a person who provides professional assistance to an applicant in compiling a resume by assembling relevant data, organizing it in writing, and providing copies to the applicant for a fee.
- (k) "Type A personnel agency" means a person who is engaged in the business or profession of serving, assisting, or in any way aiding a client seeking employment or making basic career decisions, who puts a client in direct contact with employers, and who receives a fee from the client for the services rendered or offered to be rendered.
- (l) "Type B personnel agency" means a person who is engaged in the business or profession of serving, assisting, or in any way aiding or consulting with a client to make basic career decisions and who receives a fee from the client for the services rendered or offered to be rendered.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1992, Act 253, Imd. Eff. Nov. 19, 1992.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT) Act 299 of 1980

339.1101 Definitions.

Sec. 1101. As used in this article:

- (a) "Barber" means a person who shaves or trims the beard of a person; cuts, trims, shampoos, relaxes, curls, permanently waves, dresses, tints, bleaches, colors, arranges, or styles the hair of a person; massages the face and head of a person; or renders personal services of a similar nature customarily done by a barber.
- (b) "Barber college" means an establishment which renders for compensation the services of a barber, but having for its primary purpose the teaching for compensation of the theory and practice of serving as a barber.
- (c) "Barbershop" means a place, establishment, or premises or part of a premises where a person performs as a barber.
- (d) "Demonstration" means a show, seminar, or contest in which barber services are rendered for the purpose of educating barbers.
- (e) "Demonstrator" means a person who performs a service of a barber at a demonstration.
- (f) "Immediate family" means persons residing together who are related by birth, marriage, or adoption.
- (g) "Instructor" means a person who instructs another in the theory and practice of serving as a barber.
- (h) "Student" means a person learning the theory and practice of serving as a barber.
- (i) "Student instructor" means a person learning the theory and practice of teaching barbering.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

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339.1106 Student instructor license; requirements; rendering barber services to public prohibited; exceptions; renewal of license.

Sec. 1106. (1) The department shall issue a license as a student instructor to an individual who fulfills all of the following requirements:

(a) Has graduated from high school or provided documentation of an equivalent education acceptable to the department and the board.

(b) Is of good moral character.

(c) Is a licensed barber with not less than 2 years' experience.

(2) A student instructor shall not render barber services to the public in a barber college except incidentally as a teaching example or to correct or complete the work of a student.

(3) With the approval of the board, a student instructor may renew his or her license for an additional year.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.1108 Barber license; requirements; effect of licensure in another state, jurisdiction, or country; denial or limitation of license; substitution of experience for instruction.

Sec. 1108. (1) The department shall issue a license to practice as a barber to an individual who fulfills all of the following requirements:

(a) Is not less than 17 years of age.

(b) Is of good moral character.

(c) Demonstrates satisfactory completion of not less than a 2,000-hour course of study at a licensed barber college.

(d) Passes an examination approved by the board and the department.

(e) Has completed the tenth grade of school or has an equivalent education as determined by the department.

(2) An individual who has held a license as a barber in another state, jurisdiction, or country for 1 out of the 3 years immediately preceding the date of application shall be issued a license as a barber if the requirements for licensure in the other state, jurisdiction, or country are substantially equivalent to the requirements of subsection (1), as determined by the department. However, a license may be denied or limited if the applicant has been disciplined or disciplinary action is pending in another state, jurisdiction, or country.

(3) For the purposes of fulfilling the requirement of subsection (1)(c), an individual whose instruction as a barber was received in another state, jurisdiction, or country may substitute experience as a barber or barber apprentice for instruction in the ratio of 3 months of experience for 100 hours of instruction.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1981, Act 83, Imd. Eff. July 1, 1981;—Am. 1982, Act 360, Eff. Mar. 30, 1983;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Popular name: Act 299

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339.1109 Instructor license; requirements; substitution of experience for required training; waiver.

Sec. 1109. (1) The department shall issue a license as an instructor to an individual who fulfills all of the following requirements:

(a) Is a licensed barber with not less than 2 years of experience.

(b) Except as provided in subsection (2), has completed 1 year of instruction in the teaching of barbering at a licensed barber college or has successfully completed 60 semester hours or 90 term hours in a course of instruction approved by the board at an accredited college or university and has 6 months of instruction in the teaching of barbering at a barber college.

- (c) Has graduated from high school or has an equivalent education as approved by the department.
- (d) Has passed an examination approved by the board and the department to determine the individual's fitness to practice as an instructor.
- (e) Is of good moral character.
- (2) For the purposes of fulfilling the requirements of subsection (1)(b), an individual who has been duly authorized under the laws of another state, jurisdiction, or country to instruct others in barbering may substitute 1 year of experience in barber instruction for the required training. The requirements of subsection (1)(a) and (d) shall not be waived on the basis of prior experience as an instructor.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1981, Act 83, Imd. Eff. July 1, 1981;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Popular name: Act 299

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339.1110 Barber college; licensing requirements; instruction by student instructors; notice; required classroom courses; rules; display of licenses.

Sec. 1110. (1) The department shall license a barber college which fulfills all of the following requirements:

- (a) Has made, through its owners or managers, application to the department.
- (b) Provides an educational program requiring completion of 250 hours of classroom study, demonstrations and recitations and 1,750 hours of practical barber training.
- (c) Meets the sanitation standards required of barbershops as set forth in rules promulgated by the board and determined by inspection by the department.
- (d) Files and maintains a corporate surety or cash bond of \$10,000.00 conditioned upon the faithful performance and satisfaction of the contractual rights of students enrolled in the barber college.
- (e) Employs or contracts with not less than 2 full-time, licensed instructors. At any time classroom study or theory training is given to any number of students, at least 1 instructor shall be present. If practical training occurs, there shall be at least 1 instructor present for every 30 students at all times.
- (f) Is completely partitioned from any other place of business or dwelling. No other business shall be conducted from a barber college than the rendering of barber services and the teaching of barbering, although a barber college may sell at retail to patrons those preparations used on patrons receiving barbering services from students.
- (g) Provides reasonable classroom facilities and other equipment for the proper instruction of students as set forth in this subdivision and rules promulgated by the board, including 1 stationary wash basin with hot and cold running water and a connected drain for every 2 barber chairs. Enrollment and course scheduling shall be arranged by the barber college so that no student is required to share the use of a training station during any practical training period.
- (2) Except as provided in this subsection, a student instructor may not instruct without a supervising instructor present in the room. In case of emergency, a student instructor may instruct up to 30 students, but notice shall be given to the department in writing and an instructor shall be on the premises at all times. Use of a student instructor as a substitute instructor pursuant to this subsection shall not continue for more than 7 consecutive days without written approval of the department certifying the emergency circumstances.
- (3) The transfer of ownership or location of a barber college shall automatically revoke its license. A new license shall not be granted to new owners or for a new location unless the requirements of subsection (1) are fulfilled.
- (4) The classroom courses of a barber college shall include at least all of the following: scientific fundamentals for barbering; hygiene; bacteriology; histology of hair, skin, and nails; structure of the head, face, and neck, including muscles and nerves; elementary chemistry relating to sterilization and antiseptics; diseases of the skin, hair, glands, and nails; massaging and manipulating the head, face, and neck; haircutting and shaving; cosmetic therapy; arranging, styling, dressing, coloring, bleaching, curling, permanent waving, and tinting of the hair; elements of business training; and barber laws and rules of the state.
- (5) The time to be devoted to each subject set forth in subsection (4) shall be prescribed in rules promulgated by the board. Each barber college shall provide a written copy of the rules to each student at the beginning of his or her instruction.
- (6) The license of the barber college and all instructors, student instructors, and students shall be displayed in a prominent place visible to the public at all times. An individual's license may be displayed at the individual's work station.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

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339.1111 Barbershop; licensing requirements; partitioning from dwelling; lodging or residential purposes prohibited; transfer of ownership or location as revocation of license; granting of new license; display of licenses.

Sec. 1111. (1) The department shall issue a license to a barbershop which fulfills all of the following requirements:

(a) Has made, through its owner, application to the department. The application shall include a description of the premises for which licensure is sought.

(b) Has satisfactorily passed an inspection to determine that the barbershop has met sanitation and establishment standards prescribed in rules promulgated under this article.

(2) A barbershop shall be completely partitioned from a dwelling and shall not be occupied for lodging or residential purposes.

(3) The transfer of ownership or location of a barbershop shall automatically revoke its license. A new license shall not be granted to a new owner or at a new location unless the requirements of subsection (1) have been fulfilled.

(4) The licenses of the barbershop and all barbers working in the barbershop shall be displayed in a prominent place visible to the public at all times. The license of an individual barber may be posted at the barber's work station.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

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339.1112 Rules.

Sec. 1112. The board shall promulgate rules setting forth standards for sanitation in barbershops and barber colleges.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

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339.1113 Inspections; right to enter premises.

Sec. 1113. Following the initial inspection required to open a barbershop or barber college, each barbershop shall be inspected at least once a year, and each barber college shall be inspected twice a year. A board member or representative of the department shall be allowed to enter the premises during regular business hours for the purpose of inspecting to determine that the barbershop or barber college meets the requirements of this article and rules promulgated under this article.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.1114 Renewal of license; form; effect of failure to renew.

Sec. 1114. A student instructor, barber, instructor, barbershop or barber college license shall be renewed by completing a form provided by the department on or before the date prescribed in rules promulgated by the department. A barber or instructor who fails to renew a license for 3 or more years shall be required by the board to complete the licensing examination.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

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339.1115, 339.1116 Repealed. 1984, Act 25, Imd. Eff. Mar. 12, 1984.

Compiler's note: The repealed section pertained to the inspection and operation of a barbershop or barber college and to barbershop sanitary conditions.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)
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339.1117 Rendering of barber services off premises; requirements; demonstration permit.

Sec. 1117. (1) Except as otherwise provided in this section, barber services shall only be rendered in premises licensed by the department under this article. A barber may render services outside of a barbershop to a patient in a hospital, nursing home, home for the aged, or similar facility or to a person in the person's home if it is impractical or unsafe for the patient or person to travel due to frailty, age, injury, or illness.

(2) The department may issue a demonstration permit, valid for not longer than 1 year, to allow demonstrations on premises not in use as a barbershop. The holder of a demonstration permit shall maintain health, safety, and sanitation standards as set forth in rules authorized under this article. The department may issue a demonstrator permit, valid for no longer than 1 week, to a person not licensed in this state to perform barbering services solely for the purposes of demonstration, provided that the demonstrator is duly authorized to perform barbering services under the laws of another state, jurisdiction, or country.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1984, Act 25, Imd. Eff. Mar. 12, 1984;—Am. 2003, Act 207, Imd. Eff. Nov. 26, 2003.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.1118 Prohibited conduct; strictures.

Sec. 1118. In addition to other penalties prescribed by law, a licensee who commits 1 or more of the following shall be subject to the strictures set forth in article 6:

- (a) As a student, receiving compensation for performing the services of a barber.
- (b) Continuing to practice while knowingly having an infectious or communicable disease.
- (c) Operating in an unsanitary manner; failure to abide by sanitation standards set forth in rules authorized under this article.
- (d) Wilfully violating the health and safety rules of any political subdivision.
- (e) Aiding an applicant for licensure by misrepresenting a material fact.
- (f) Failing to notify the department within 30 days of a change of name or address.
- (g) Allowing a license to be used by an unlicensed person.
- (h) Hiring or permitting an unlicensed person or student to work in a barbershop as a barber or permitting an unlicensed person to attend barber college as a student.
- (i) Operating as a barber from premises not licensed under this article, except as otherwise provided in this article.
- (j) Refusal to allow a board member or representative of the department to inspect during regular business hours premises where barbering services are rendered.
- (k) Negligent, incompetent, or careless practice causing damage to a person's hair, skin, scalp, nails, or organs.

History: Add. 1984, Act 25, Imd. Eff. Mar. 12, 1984.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)
Act 299 of 1980

339.1201 Definitions.

Sec. 1201. As used in this article:

- (a) "Apprentice" means an individual engaged in learning cosmetology in a cosmetology establishment.
- (b) "Braiding" means providing or offering to the general public for compensation any of the following services solely for development or improvement of physical qualities of the natural hair structure:
 - (i) Intertwining in a systematic motion to create patterns in a 3-dimensional form.
 - (ii) Inversion or outversion flat against the scalp along the part of a straight or curved row.
 - (iii) Twisting in a systematic motion.
 - (iv) Extension with natural or synthetic fibers.

- (c) "Cosmetologist" means an individual who renders or offers to render cosmetology services.
- (d) "Cosmetology" means 1 of the following services or a combination of the following services:
 - (i) Hair care services.
 - (ii) Skin care services.
 - (iii) Manicuring services.
 - (iv) Electrology.
- (e) "Cosmetology establishment" means the premises on which cosmetology or 1 or more of its services are rendered or are offered to be rendered. Cosmetology establishment does not include a school of cosmetology.
- (f) "Electrologist" means an individual who renders or offers to render electrology.
- (g) "Electrology" means the permanent removal of hair from the body of an individual by the use of electricity.
- (h) "Esthetician" means an individual who renders or offers to render skin care services.
- (i) "Hair care services" means arranging, cutting, dressing, curling, waving, cleansing, singeing, bleaching, coloring, tinting, trimming, styling, relaxing, perming, straightening, or similar work upon the hair of the head or a wig that an individual is wearing.
- (j) "Instructor" means an individual who teaches or offers to teach 1 or more cosmetology services in a school of cosmetology.
- (k) "Manicuring services" means the cleansing, filing, shaping, buffing, polishing, or beautifying of the nails of the hands or feet, and the cleansing, massaging, stimulating, exercising, or beautifying of the skin of the hands, arms, and feet, manually or with the use of tools, appliances, or cosmetic preparations, including the repair of nails, or the creation or decoration of artificial nails. Manicuring services do not include the practice of podiatric medicine and surgery as defined in section 18001 of the public health code, 1978 PA 368, MCL 333.18001.
- (l) "Manicurist" means an individual who renders or offers to render manicuring services.
- (m) "Natural hair cultivation" means techniques that result in tension on hair strands such as twisting, wrapping, weaving, extending, locking, or braiding of the hair by hand, which work does not include the application of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the structure of the hair.
- (n) "Natural hair culturist" means a person engaged in natural hair cultivation but does not include a person engaged in natural hair cultivation if that activity is performed as part of the practice of a recognized religion.
- (o) "Owner" means a person who owns and conducts a cosmetology establishment or a school of cosmetology.
- (p) "School of cosmetology" means the premises where cosmetology or 1 or more of its services are taught.
- (q) "Skin care services" includes the following services or combination of services:
 - (i) Beautifying the skin of the body of an individual by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, including body wrapping.
 - (ii) Cleansing or stimulating the skin of the body by the use of the hands, devices, apparatus, or appliances, with or without the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.
 - (iii) The temporary removal of hair from the body of an individual by the use of depilatories, waxes, razors, scissors, clippers, or tweezers.
 - (iv) Giving facials, applying removable makeup, applying eyelashes, or any other application of a preparation or beauty enhancement to the body of an individual but does not include applying permanent makeup or the use of tanning equipment.
- (r) "Student" means an individual engaged in learning cosmetology or 1 or more of its services in a school of cosmetology.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1997, Act 97, Imd. Eff. Aug. 7, 1997.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

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339.1203a Cosmetology services; license required; exception; scope of license; limitations.

Sec. 1203a. (1) An individual shall not render any form of cosmetology services, with or without compensation, on any individual other than a member of his or her immediate family without a license under

this article. However, this article does not apply to an individual, person, or premises licensed under article 11 while rendering the services of a barber.

(2) An individual licensed as a cosmetologist under this article may render hair care services, skin care services, natural hair cultivation, and manicuring services as part of the practice of cosmetology, but shall not render electrology without being licensed as an electrologist.

(3) The department may license an individual to render manicuring services, natural hair cultivation, or skin care services in accordance with his or her training. An individual licensed as a manicurist, natural hair culturist, or esthetician shall only render that particular service and shall not render any other cosmetology service without being licensed for that service. An individual licensed as a manicurist, natural hair culturist, or esthetician shall not render electrology without being licensed as an electrologist.

(4) An individual licensed as an electrologist shall render only electrology services and shall not render any other cosmetology service without separately being licensed to render those services.

History: Add. 1997, Act 97, Imd. Eff. Aug. 7, 1997.

Popular name: Act 299

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339.1301 Definitions.

Sec. 1301. As used in this article:

(a) "Hearing aid" means an instrument or device designed for regular and constant use in or proximate to the human ear and represented as aiding or improving defective human hearing.

(b) "Hearing aid dealer" means an individual who engages in the sale or offering for sale at retail of a hearing aid.

(c) "Hearing aid salesperson" means an individual who engages in the sale or offering for sale at retail of a hearing aid and who is an employee of a hearing aid dealer.

(d) "Practice of selling or fitting a hearing aid" means the selection, adaptation, and sale of a hearing aid and includes the testing of hearing by means of an audiometer and other means for the sale of a hearing aid. The practice also includes the making of an impression for an ear mold.

(e) "Unethical conduct" means:

(i) Selling a hearing aid intended to be used by an individual 16 years of age or less without an otologic examination and approval by a physician and an audiologic evaluation and recommendation.

(ii) Canvassing from house to house or place of business either in person or by an agent for selling a hearing aid without prior referral or request.

(iii) Failing to properly and reasonably accept responsibility for the actions of a licensed trainee.

(iv) Offering, paying, causing to be paid, or inferring that a payment might be made, directly or indirectly, of money or other thing of value to an audiologist, otologist, physician, clinic, or other similar medical person or institution as a consideration for a referral by a medical person or institution or as a part of an agreement with a medical person or institution.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

For transfer of powers and duties of the board of hearing aid dealers from the department of commerce to the director of the department of consumer and industry services, and the abolishment of the board of hearing aid dealers, see E.R.O. No. 1996-2, compiled at § 445.2001 of the Michigan Compiled Laws.

Popular name: Act 299

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Act 299 of 1980

339.1801 Definitions.

Sec. 1801. As used in this article:

(a) "Funeral establishment" means a place of business used in the care and preparation for burial or transportation of a dead human body or a place where a person represents that the person is engaged in the profession of undertaking or the practice of mortuary science.

(b) "Holder of a license for the practice of mortuary science" means a person who satisfactorily completes a course in mortuary science, who passes an examination prescribed in this article, serves the required resident training, and is issued a license for the practice of mortuary science.

(c) "Practice of embalming" means the disinfecting or preserving of a dead human body, entirely or in part,

by the use of a chemical substance, fluid, or gas in the body or by the introduction of the chemical substance, fluid, or gas into the body by a vascular or hypodermic injection, or by direct application into an organ or cavity.

(d) "Practice of funeral directing" means engaging in or representing oneself as engaging in the supervising of the burial and disposal of a dead human body; maintaining a funeral establishment for the preparation, disposition, and care of a dead human body; or using, in connection with the user's name or funeral establishment, the word "funeral director", "funeral service professional", "undertaker", or "mortician", or any other title embodying the words "mortuary science" or otherwise implying that one is engaged as a funeral director.

(e) "Practice of mortuary science" means the practice of embalming or the practice of funeral directing, or both.

(f) "Resident trainee" means a person who is engaged in learning the practice of embalming or funeral directing or the practice of mortuary science under the instruction and personal supervision of a holder of a license for the practice of mortuary science in this state.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 2006, Act 300, Imd. Eff. July 20, 2006.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.1901-339.1910 Repealed. 2001, Act 139, Imd. Eff. Oct. 26, 2001.

Compiler's note: The repealed sections pertained to nursing home administrator's license.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.2001 Definitions.

Sec. 2001. As used in this article:

(a) "Architect" means a person who, by reason of knowledge of mathematics, the physical sciences, and the principles of architectural design, acquired by professional education and practical experience, is qualified to engage in the practice of architecture.

(b) "Firm" means a sole proprietorship, partnership, corporation, or limited liability company through which a person licensed under this article offers or provides a service to the public.

(c) "Person" means a natural person notwithstanding section 105(5).

(d) "Person in responsible charge" means a person licensed under this article who determines technical questions of design and policy; advises the client; supervises and is in responsible charge of the work of subordinates; is the person whose professional skill and judgment are embodied in the plans, designs, plats, surveys, and advice involved in the services; and who supervises the review of material and completed phases of construction.

(e) "Practice of architecture" means professional services, such as consultation, investigation, evaluation, planning, design, or review of material and completed phases of work in construction, alteration, or repair in connection with a public or private structure, building, equipment, works, or project if the professional service requires the application of a principle of architecture or architectural design.

(f) "Practice of professional surveying" means providing professional services such as consultation, investigation, testimony, evaluation, planning, mapping, assembling, and interpreting reliable scientific measurements and information relative to the location, size, shape, or physical features of the earth, improvements on the earth, the space above the earth, or any part of the earth, and the utilization and development of these facts and interpretations into an orderly survey map, plan, report, description, or project. The practice of professional surveying includes all of the following:

(i) Land surveying that is the surveying of an area for its correct determination or description for its conveyance, or for the establishment or reestablishment of a land boundary and the designing or design coordination of the plotting of land and the subdivision of land.

(ii) Geodetic surveying that includes surveying for determination of the size and shape of the earth both horizontally and vertically and the precise positioning of points on the earth utilizing angular and linear measurements through spatially oriented spherical geometry.

(iii) Utilizing and managing land information systems through establishment of datums and local coordinate systems and points of reference.

(iv) Engineering and architectural surveying for design and construction layout of infrastructure.

(v) Cartographic surveying for making maps, including topographic and hydrographic mapping.

(g) "Practice of professional engineering" means professional services, such as consultation, investigation, evaluation, planning, design, or review of material and completed phases of work in construction, alteration, or repair in connection with a public or private utility, structure, building, machine, equipment, process, work, or project, if the professional service requires the application of engineering principles or data.

(h) "Principal" means a sole proprietor, partner, the president, vice-president, secretary, treasurer, or director of a corporation, or a member or manager of a limited liability company.

(i) "Professional engineer" means a person who, by reason of knowledge of mathematics, the physical sciences, and the principles of engineering, acquired by professional education and practical experience, is qualified to engage in the practice of professional engineering.

(j) "Professional surveyor" means a person who, by reason of knowledge of law, mathematics, physical sciences, and techniques of measuring acquired by professional education and practical experience, is qualified to engage in the practice of professional surveying.

(k) "Services" means professional service offered or provided by an architect in the practice of architecture, a professional engineer in the practice of professional engineering, or a professional surveyor in the practice of professional surveying.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1992, Act 103, Eff. Sept. 1, 1992;—Am. 1997, Act 122, Imd. Eff. Nov. 3, 1997;—Am. 1998, Act 218, Imd. Eff. July 1, 1998.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.2101 Definitions.

Sec. 2101. As used in this article:

(a) "Forester" means a person who, by reason of his or her knowledge of the natural sciences, mathematics, and the principles of forestry, acquired by forestry education and practical experience, is qualified to engage in the practice of professional forestry.

(b) "Practice of professional forestry" means professional forestry services, including consultation, investigation, evaluation, planning, or responsible supervision of forestry interns or forest technicians when the professional service requires the application of forestry principles and techniques.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

For transfer of powers and duties of the board of foresters from the department of commerce to the director of the department of consumer and industry services, and the abolishment of the board of foresters, see E.R.O. No. 1996-2, compiled at § 445.2001 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.2201 Definitions.

Sec. 2201. As used in this article:

(a) "Landscape architect" means a person qualified to practice landscape architecture as provided in this article.

(b) "Practice of landscape architecture" means:

(i) The performance of professional services such as consultation, investigation, research, planning, design, or responsible field observation in connection with the development of land areas where, and to the extent that the dominant purpose of the services is the preservation, enhancement, or determination of proper land uses, natural land resources, ground cover and planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, natural drainage, and the consideration and determination of inherent problems of the land relating to erosion, use and stress, blight, or other hazards.

(ii) The location and arrangement of tangible objects and features incidental and necessary to the purposes outlined in this article.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT) **Act 299 of 1980**

339.2301 Definitions.

Sec. 2301. As used in this article:

(a) "Community" means a village, city, township, county, any other political subdivision of this state, this state, or a combination of those political entities, not including a state supported college, university, or institution.

(b) "Community planner" means a person qualified to prepare comprehensive community plans under this article.

(c) "Comprehensive community plan" means a unified document of text, charts, graphics, or maps, or combination of texts, charts, graphics, or maps, designed to portray general, long-range proposals for the arrangement of land uses and which is intended primarily to guide government policy toward achieving orderly and coordinated development of the entire community.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

For transfer of powers and duties of the board of professional community planners from the department of commerce to the director of the department of consumer and industry services, and the abolishment of the board of professional community planners, see E.R.O. No. 1996-2, compiled at § 445.2001 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT) **Act 299 of 1980**

339.2401 Definitions.

Sec. 2401. As used in this article:

(a) "Residential builder" means a person engaged in the construction of a residential structure or a combination residential and commercial structure who, for a fixed sum, price, fee, percentage, valuable consideration, or other compensation, other than wages for personal labor only, undertakes with another or offers to undertake or purports to have the capacity to undertake with another for the erection, construction, replacement, repair, alteration, or an addition to, subtraction from, improvement, wrecking of, or demolition of, a residential structure or combination residential and commercial structure; a person who manufactures, assembles, constructs, deals in, or distributes a residential or combination residential and commercial structure which is prefabricated, preassembled, precut, packaged, or shell housing; or a person who erects a residential structure or combination residential and commercial structure except for the person's own use and occupancy on the person's property.

(b) "Residential maintenance and alteration contractor" means a person who, for a fixed sum, price, fee, percentage, valuable consideration, or other compensation, other than wages for personal labor only, undertakes with another for the repair, alteration, or an addition to, subtraction from, improvement of, wrecking of, or demolition of a residential structure or combination residential and commercial structure, or building of a garage, or laying of concrete on residential property, or who engages in the purchase, substantial rehabilitation or improvement, and resale of a residential structure, engaging in that activity on the same structure more than twice in 1 calendar year, except in the following instances:

(i) If the work is for the person's own use and occupancy.

(ii) If the rehabilitation or improvement work of residential type property or a structure is contracted for, with, or hired entirely to be done and performed for the owner by a person licensed under this article.

(iii) If work is performed by a person employed by the owner to perform work for which the person is licensed by the state.

(c) "Residential structure" means a premises used or intended to be used for a residence purpose and related facilities appurtenant to the premises, used or intended to be used, as an adjunct of residential occupancy.

(d) "Salesperson" means an employee or agent, other than a qualifying officer, of a licensed residential builder or residential maintenance and alteration contractor, who for a salary, wage, fee, percentage, commission, or other consideration, sells or attempts to sell, negotiates or attempts to negotiate, solicits for or attempts to solicit for, obtains or attempts to obtain a contract or commitment for, or furnishes or attempts or agrees to furnish, the goods and services of a residential builder or residential maintenance and alteration contractor, except a person working for a licensed residential builder or residential maintenance and alteration contractor who makes sales which are occasional and incidental to the person's principal employment.

(e) "Wages" means money paid or to be paid on an hourly or daily basis by an owner, lessor, or occupant of a residential structure or combination residential and commercial structure as consideration for the performance of personal labor on the structure by a person who does not perform or promise to perform the labor for any other fixed sum, price, fee, percentage, valuable consideration, or other compensation and who does not furnish or agree to furnish the material or supplies required to be used in the performance of the labor or an act defined in subdivision (a) or (b).

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1991, Act 166, Imd. Eff. Dec. 19, 1991.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.2501 Definitions.

Sec. 2501. As used in this article:

(a) "Property management" means the leasing or renting, or the offering to lease or rent, of real property of others for a fee, commission, compensation, or other valuable consideration pursuant to a property management employment contract.

(b) "Property management account" means an interest-bearing or noninterest-bearing account or instrument used in the operation of property management.

(c) "Property management employment contract" means the written agreement entered into between a real estate broker and client concerning the real estate broker's employment as a property manager for the client; setting forth the real estate broker's duties, responsibilities, and activities as a property manager; and setting forth the handling, management, safekeeping, investment, disbursement, and use of property management money, funds, and accounts.

(d) "Real estate broker" means an individual, sole proprietorship, partnership, association, corporation, common law trust, or a combination of those entities who with intent to collect or receive a fee, compensation, or valuable consideration, sells or offers for sale, buys or offers to buy, provides or offers to provide market analyses, lists or offers or attempts to list, or negotiates the purchase or sale or exchange or mortgage of real estate, or negotiates for the construction of a building on real estate; who leases or offers or rents or offers for rent real estate or the improvements on the real estate for others, as a whole or partial vocation; who engages in property management as a whole or partial vocation; who sells or offers for sale, buys or offers to buy, leases or offers to lease, or negotiates the purchase or sale or exchange of a business, business opportunity, or the goodwill of an existing business for others; or who, as owner or otherwise, engages in the sale of real estate as a principal vocation.

(e) "Real estate salesperson" means a person who for compensation or valuable consideration is employed either directly or indirectly by a licensed real estate broker to sell or offer to sell, to buy or offer to buy, to provide or offer to provide market analyses, to list or offer or attempt to list, or to negotiate the purchase or sale or exchange or mortgage of real estate, or to negotiate for the construction of a building on real estate, or to lease or offer to lease, rent or offer for rent real estate, who is employed by a real estate broker to engage in property management, or who sells or offers for sale, buys or offers to buy, leases or offers to lease, or negotiates the purchase or sale or exchange of a business, business opportunity, or the goodwill of an existing business for others, as a whole or partial vocation.

(f) "Employ" or "employment" means the relationship between a real estate broker and an associate broker or a real estate salesperson which may include an independent contractor relationship. The existence of an independent contractor relationship between a real estate broker and an individual licensed to the real estate broker shall not relieve the real estate broker of the responsibility to supervise acts of the licensee regulated by this article.

(g) "Independent contractor relationship" means a relationship between a real estate broker and an associate broker or real estate salesperson that satisfies both of the following conditions:

(i) A written agreement exists in which the real estate broker does not consider the associate broker or real estate salesperson as an employee for federal and state income tax purposes.

(ii) Not less than 75% of the annual compensation paid by the real estate broker to the associate broker or real estate salesperson is from commissions from the sale of real estate.

(h) "Professional designation" means a certification from a real estate professional association demonstrating attainment of proven skills or education in a real estate occupational area, and may include the right to use a title or letters after the licensee's name that represent the designation bestowed by the certifying entity.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1988, Act 16, Imd. Eff. Feb. 18, 1988;—Am. 1990, Act 269, Eff. July 1, 1991;—Am. 1993, Act 93, Imd. Eff. July 13, 1993;—Am. 1994, Act 333, Imd. Eff. Oct. 18, 1994;—Am. 2003, Act 196, Imd. Eff. Nov. 10, 2003.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.2601 Definitions.

Sec. 2601. As used in this article:

(a) "Appraisal" means an opinion, conclusion, or analysis relating to the value of real property but does not include any of the following:

(i) A market analysis performed by a person licensed under article 25 solely for the purpose of assisting a customer or potential customer in determining the potential sale, purchase, or listing price of real property or the rental rate of real property as long as a fee or any other valuable consideration is not charged for that analysis.

(ii) A market analysis of real property for a fee performed by a broker or associate broker licensed under article 25 which does not involve a federally related transaction if the market analysis is put in writing and it states in boldface print "This is a market analysis, not an appraisal and was prepared by a licensed real estate broker or associate broker, not a licensed appraiser.". Failure to do so results in the individual being subject to the penalties set forth in article 6.

(iii) An assessment of the value of real property performed on behalf of a local unit of government authorized to impose property taxes when performed by an assessor certified under section 10d of the general property tax act, 1893 PA 206, MCL 211.10d, or an individual employed in an assessing capacity.

(b) "AQB criteria" means the criteria established by the appraiser qualifications board of the appraisal foundation or as adopted by rule of the director. Until January 1, 2008, AQB criteria means the criteria entitled "Real Property Appraiser Qualification Criteria and Interpretation of the Criteria", adopted by the appraiser qualifications board on February 16, 1994, effective January 1, 1998, and as revised and effective January 1, 2003. Beginning January 1, 2008, AQB criteria means the criteria entitled "Real Property Appraiser Qualification Criteria and Interpretation of the Criteria", adopted by the appraiser qualifications board on February 20, 2004, effective January 1, 2008.

(c) "Appraiser" means an individual engaged in or offering to engage in the development and communication of an appraisal.

(d) "Certified general real estate appraiser" means an individual who is licensed under section 2610 to appraise all types of real property, including nonresidential real property involving federally related transactions and real estate related financial transactions.

(e) "Certified residential real estate appraiser" means an individual who is licensed under section 2610 to appraise all types of residential real property involving real estate related financial transactions and federally related transactions as authorized by the regulations of a federal financial institution regulatory agency and resolution trust corporation as well as any nonresidential, nonfederally related transaction for which the individual is qualified.

(f) "Federal financial institution regulatory agency" means the board of governors of the federal reserve system, the federal deposit insurance corporation, the office of the comptroller of the currency, the office of thrift supervision, or the national credit union administration.

(g) "Federally related transaction" means any real estate related financial transaction that a federal financial institution regulatory agency engages in, contracts for, or regulates and that requires the services of an appraiser under any of the following:

- (i) 12 CFR part 323, adopted by the federal deposit insurance corporation.
- (ii) 12 CFR parts 208 and 225, adopted by the board of governors of the federal reserve system.
- (iii) 12 CFR parts 701, 722, and 741, adopted by the national credit union administration.
- (iv) 12 CFR part 34, adopted by the office of the comptroller of the currency.
- (v) 12 CFR parts 506, 545, 563, 564, and 571, adopted by the office of thrift supervision.
- (h) "Limited real estate appraiser" means an individual meeting the AQB criteria for appraiser trainee and licensed under section 2610 to perform appraisals of real property not involving real estate related financial transactions or federally related transactions that require the services of a state licensed real estate appraiser, certified residential real estate appraiser, or certified general real estate appraiser.
 - (i) "Real estate related financial transaction" means any of the following:
 - (i) A sale, lease, purchase, investment in, or exchange of real property or the financing of real property.
 - (ii) A refinancing of real property.
 - (iii) The use of real property as security for a loan or investment, including mortgage-backed securities.
 - (j) "Real property" means an identified tract or parcel of land, including improvements on that land, as well as any interests, benefits, or rights inherent in the land.
 - (k) "Residential real property" means real property used as a residence containing a dwelling that has not more than 4 living units.
 - (l) "State licensed real estate appraiser" means an individual who is licensed under section 2610 to appraise real property, including, but not limited to, residential and nonresidential real property involving federally related transactions and real estate related financial transactions.
 - (m) "Uniform standards of professional appraisal practice" means those standards relating to real property adopted by the appraisal foundation on March 31, 1999, or as adopted by rule of the director.

History: 1980, Act 299, Imd. Eff. Oct. 21, 1980;—Am. 1990, Act 269, Imd. Eff. Oct. 17, 1990;—Am. 1994, Act 125, Imd. Eff. May 16, 1994;—Am. 1999, Act 170, Imd. Eff. Nov. 10, 1999;—Am. 2006, Act 414, Imd. Eff. Sept. 29, 2006.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

OCCUPATIONAL CODE (EXCERPT)

Act 299 of 1980

339.2701 Definitions.

Sec. 2701. As used in this article:

- (a) "Apprentice" means an individual who is registered as an apprentice.
- (b) "Ocular prosthetic appliances" means 1 or more of the following:
 - (i) Stock and custom prosthetic eyes.
 - (ii) Stock and custom therapeutic scleral shells.
 - (iii) Stock and custom therapeutic painted iris shells.
 - (iv) External orbital and facial prosthetics.
 - (v) Ocular conformers.
- (c) "Ocularist" means an individual registered as an ocularist.
- (d) "Practice of ocularism" means 1 or more of the following:
 - (i) The design and fabrication of ocular prosthetic appliances.
 - (ii) The fitting of ocular prosthetic appliances.
 - (iii) The performance of necessary procedures to provide an ocular prosthetic service for the patient in the ocularist's office or laboratory.

History: Add. 1982, Act 209, Imd. Eff. July 2, 1982;—Am. 1988, Act 463, Eff. Sept. 1, 1989.

Compiler's note: For transfer of powers and duties of certain occupational functions, boards, and commissions from the Department of Licensing and Regulation to the Department of Commerce, see E.R.O. No. 1991-9, compiled at § 338.3501 of the Michigan Compiled Laws.

Popular name: Act 299

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

750.146 Right to equal public accommodations; separation of facilities according to sex.

Sec. 146. All persons within the jurisdiction of this state shall be entitled to full and equal accommodations, advantages, facilities and privileges of inns, hotels, motels, government housing, restaurants, eating houses, barber shops, billiard parlors, stores, public conveyances on land and water,

theatres, motion picture houses, public educational institutions, in elevators, on escalators, in all methods of air transportation and all other places of public accommodation, amusement, and recreation, subject only to the conditions and limitations established by law and applicable alike to all citizens and to all citizens alike, with uniform prices. Rooming facilities at educational, religious, charitable or nonprofit institutions or organizations, and restrooms and locker room facilities in places of public accommodation may be separated according to sex.

History: 1931, Act 328, Eff. Sept. 18, 1931;—Am. 1937, Act 117, Eff. Oct. 29, 1937;—CL 1948, 750.146;—Am. 1952, Act 101, Eff. Sept. 18, 1952;—Am. 1956, Act 182, Eff. Aug. 11, 1956;—Am. 1972, Act 116, Imd. Eff. Apr. 18, 1972.

Former law: See section 1 of Act 130 of 1885, being How., § 9074a; CL 1897, § 11759; CL 1915, § 15570; CL 1929, § 16809; and Act 375 of 1919.